

Appendix

D

Environmental Planning and
Assessment Regulation 2000 (NSW) checklist



Appendix D – Environmental Planning and Assessment Regulation 2000 (NSW), Part 3 of Schedule 2 checklist

Part 3 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (NSW) lists the information required to be included in an environmental impact statement (EIS). **Table D-1** provides a checklist to demonstrate where this information has been included within the EIS for the M4-M5 Link project (the project).

Table D-1 Environmental Planning and Assessment Regulation 2000 (NSW), Part 3, Schedule 2 checklist

Requirement	Where addressed in this EIS
6 Form of the environmental impact statement	
An environmental impact statement must contain the following information:	
(a) The name, address and professional qualifications of the person by whom the statement is prepared,	The name, an address and professional qualification of the person by whom the statement is prepared is provided on the EIS Certification page .
(b) The name and address of the responsible person,	The name and address of the responsible person is provided on the EIS Certification page .
(c) The address of the land: (i) in respect of which the development application is to be made, or (ii) on which the activity or infrastructure to which the statement relates is to be carried out,	The address of the land to which the EIS relates is provided on the EIS Certification page and is more fully described in Chapter 5 (Project description) and Chapter 6 (Construction work) of the EIS.
(d) A description of the development, activity or infrastructure to which the statement relates,	A description of the infrastructure to which the EIS relates is provided on the EIS Certification page and in more detail in Chapter 5 (Project description) and Chapter 6 (Construction work) of the EIS.
(e) An assessment by the person by whom the statement is prepared of the environmental impact of the development, activity or infrastructure to which the statement relates, dealing with the matters referred to in this Schedule,	An assessment of the environmental impact of the project, dealing with the matters referred to in this Schedule is provided throughout Chapter 8 to Chapter 28 , and in Appendix H to Appendix X of the EIS.
(f) A declaration by the person by whom the statement is prepared to the effect that: (i) the statement has been prepared in accordance with this Schedule, and (ii) the statement contains all available information that is relevant to the environmental assessment of the development, activity or infrastructure to which the statement relates, and (iii) that the information contained in the statement is neither false nor misleading.	A declaration has been provided on the EIS Certification page , certifying that the EIS: <ul style="list-style-type: none"> Has been prepared in accordance with Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (NSW) Contains all available information relevant to the environmental assessment of the infrastructure to which the EIS relates Contains information that is neither false nor misleading.

Requirement	Where addressed in this EIS
7 Content of environmental impact statement	
(1) An environmental impact statement must also include each of the following:	
(a) A summary of the environmental impact statement,	A summary of the EIS is provided in the Executive Summary and Appendix A (Project synthesis) of the EIS.
(b) A statement of the objectives of the development, activity or infrastructure,	The project objectives are outlined in Chapter 3 (Strategic context and project need) of the EIS. A justification of the project against the project objectives is provided in Chapter 30 (Project justification and conclusion) of the EIS.
(c) An analysis of any feasible alternatives to the carrying out of the development, activity or infrastructure, having regard to its objectives, including the consequences of not carrying out the development, activity or infrastructure,	An analysis of feasible alternatives to the project, based on the extent to which each alternative could meet the project objectives has been carried out, including a theoretical base case or 'do nothing/do minimum' alternative. This analysis is provided in Chapter 4 (Project development and alternatives) of the EIS.
(d) An analysis of the development, activity or infrastructure, including:	An analysis of the project has been provided throughout Chapter 8 to Chapter 28 , and in Appendix H to Appendix X of the EIS.
(i) A full description of the development, activity or infrastructure, and	A description of the project and how it would be constructed is provided in Chapter 5 (Project description) and Chapter 6 (Construction work) of the EIS respectively.
(ii) A general description of the environment likely to be affected by the development, activity or infrastructure, together with a detailed description of those aspects of the environment that are likely to be significantly affected, and	A description of the environment likely to be affected by the project, including those aspects likely to be significantly affected is provided throughout Chapter 5 to Chapter 28 , and in Appendix H to Appendix X of the EIS.
(iii) The likely impact on the environment of the development, activity or infrastructure, and	The likely impact of the project on the environment has been provided throughout Chapter 8 to Chapter 28 , and in Appendix H to Appendix X of the EIS.
(iv) A full description of the measures proposed to mitigate any adverse effects of the development, activity or infrastructure on the environment, and	Recommended environmental management measures proposed to mitigate any adverse effects of the project have been provided throughout Chapter 8 to Chapter 28 , and are summarised in Chapter 29 (Summary of environmental management measures) of the EIS. Environmental management measures are also stated in Appendix H to Appendix X of the EIS as relevant.
(v) A list of any approvals that must be obtained under any other Act or law before the development, activity or infrastructure may lawfully be carried out,	Approvals that must be obtained under any other Act or law before the project is carried out are listed in Chapter 2 (Assessment process) of the EIS.
(e) A compilation (in a single section of the environmental impact statement) of the measures referred to in item (d) (iv),	A summary of recommended environmental management measures proposed to mitigate any adverse effects of the project is provided in Chapter 29 (Summary of environmental management

Requirement	Where addressed in this EIS
	measures) of the EIS.
(f) The reasons justifying the carrying out of the development, activity or infrastructure in the manner proposed, having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development set out in subclause (4).	<p>The reasons which justify why the project should be carried out are provided in Chapter 3 (Strategic context and project need) and Chapter 30 (Project justification and conclusion) of the EIS. The principles of ecologically sustainable development have been an integral consideration throughout the design of the project. This includes the effective integration of the economic and environmental considerations in the decision making process, as defined by section 6(2) of the <i>Protection of the Environment Administration Act 1991</i> (NSW).</p> <p>The four main principles of ecologically sustainable development, as set out in subclause (4) of Schedule 2 Part 3 Section 7 of the Environmental Planning and Assessment Regulation 2000 (NSW), have been considered in the design, construction and operation phases of the project. A detailed description of how these principles have been considered is provided in Chapter 27 (Sustainability) of the EIS.</p>
(2) Subclause (1) is subject to the environmental assessment requirements that relate to the environmental impact statement.	The SEARs, as issued on 3 March 2016, and revised on 9 November 2016 and further revised on 3 May 2017, have been addressed throughout the EIS.
(3) Subclause (1) does not apply if:	
(a) the Secretary has waived (under clause 3 (9)) the need for an application for environmental assessment requirements in relation to an environmental impact statement in respect of State significant development, and	Not applicable.
(b) the conditions of that waiver specify that the environmental impact statement must instead comply with requirements set out or referred to in those conditions.	Not applicable.
(4) The principles of ecologically sustainable development:	The four main principles of ecologically sustainable development, as set out in subclause (4) of Schedule 2 Part 3 Section 7 of the Environmental Planning and Assessment Regulation 2000 (NSW), have been considered in the design, construction and operation phases of the project. A detailed description of how these principles have been considered is provided in Chapter 27 (Sustainability) of the EIS.
(a) the <i>precautionary principle</i> , namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:	
(i) careful evaluation to avoid, wherever practicable, serious or irreversible	

Requirement	Where addressed in this EIS
damage to the environment, and	
(ii) an assessment of the risk-weighted consequences of various options,	
(b) <i>inter-generational equity</i> , namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,	
(c) <i>conservation of biological diversity and ecological integrity</i> , namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,	
(d) <i>improved valuation, pricing and incentive mechanisms</i> , namely, that environmental factors should be included in the valuation of assets and services, such as:	
(i) polluter pays, that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,	
(ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,	
(iii) environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.	